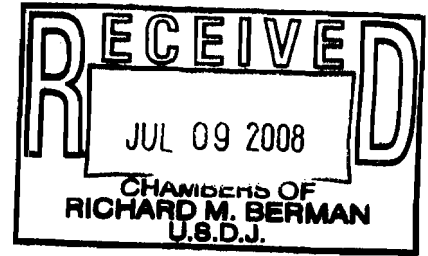
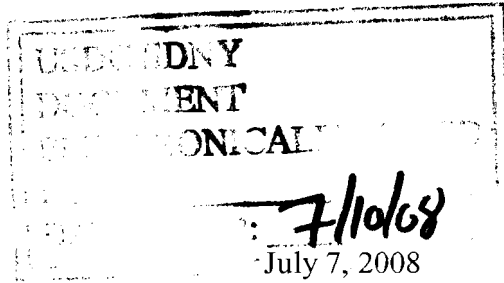




Sheila E. Carson, Esq.
Vice President and
Assistant General Counsel

Via Hand Delivery



Honorable Richard M. Berman
United States District Court
Southern District of New York
40 Centre Street
New York, NY 10007

MEMO ENDORSED

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Re: Lizbeth O'Keefe a/k/a Lisbeth O'Keefe v. JPMorgan Chase Bank, N.A.
Docket No. 07 CIV 9811(RMB)

Dear Judge Berman:

I am a member of the JPMorgan Chase Legal Department, which represents JPMorgan Chase Bank, N.A. ("Chase") in connection with the above-referenced action filed by *pro se* plaintiff, Lizbeth O'Keefe ("Plaintiff").

On April 11, 2008, Chase brought a motion to dismiss Plaintiff's amended complaint pursuant to Fed. R. Civ. P. 12(b) on the grounds that this court lacks subject matter jurisdiction due to the amount in controversy (\$37,502.17) and lack of federal question as pled in Plaintiff's amended complaint (as well as other grounds) [docket no. 7]. After failing to respond to Chase's motion to dismiss in a timely manner, Plaintiff sent a letter to the court requesting additional time to respond. By memo endorsement [docket no. 10], the Court set June 30, 2008 as Plaintiff's deadline for to file any opposition with today, July 7, 2008 for Chase's reply. As of 2:00 p.m. July 7, 2008, Chase has not received any opposition from Plaintiff and cannot, therefore, file its papers by the deadline set by the Court.

In light of Plaintiff's failure to oppose Chase's motion to dismiss in a timely manner, Chase submits that its motion to dismiss should be granted immediately. In the alternative, Chase requests that it be given at least five business days to file its reply after receipt of any opposition by Plaintiff. Chase thanks the Court for its prompt attention to this matter.

Very truly yours,

Sheila E. Carson

cc: Lizbeth O'Keefe (Pro Se Plaintiff by Overnight Mail)

Plaintiff may have another extension of time to respond to Defendant's motion to dismiss, i.e., on or before 8/11/08. Plaintiff's failure to serve and file an opposition in writing on or before 8/11/08 may lead to dismissal of the Complaint. See Court's Order dated 5/29/08.

SO ORDERED:

Date: 7/10/08

Richard M. Berman

Richard M. Berman, U.S.D.J.